



GARY R. HERBERT  
*Governor*  
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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

### Division of Water Rights

MICHAEL R. STYLER      KENT L. JONES  
*Executive Director*      *State Engineer/Division Director*

June 7, 2013

Brian W. Burnett  
Callister Nebeker & McCullough  
10 E South Temple, Suite 900  
Salt Lake City, Utah 84133

Re: Grassy Trail Creek – Request for River Commissioner

Dear Mr. Burnett:

Our office received your letter, dated April 5, 2013, sent on behalf of Sunnyside Cogeneration Associates (“SCA”) requesting the Division of Water Rights appoint a river commissioner for Grassy Trail Creek.

In consideration of your client’s request, staff from Salt Lake City and the Southeast Regional Office in Price met with all of the water right holders on Grassy Trail Creek. Staff from the Southeast Regional Office will monitor inflows to, as well as diversions from, Grassy Trail Reservoir weekly. Weekly measurements will be published and distributed among the Grassy Trail Creek water right holders including SCA.

Over the course of the 2013 irrigation season, we’ll evaluate the distribution of Grassy Trail Creek flows in accordance with recorded water rights. If conflict between Grassy Trail Creek water users continues, even with weekly oversight from our office the distribution system may be reorganized and a river commissioner employed for the 2014 irrigation season.

Sincerely,

Jared Manning, P.E.  
Assistant State Engineer